IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

MACA.No. 1789 of 2007

OPMV.49/2003 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PALA
.....

APPELLANT/1ST RESPONDENT

THIRUVALLUVAR TRANSPORT CORPORATION,
NOW KNOWN AS STATE EXPRESS TRANSPORT CORPORATION
TAMILNADU LTD., CHENNAI-2, REPRESENTED BY ITS
MANAGING DIRECTOR.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENTS: PETITIONERS AND RESPONDENT 2 AND 3
---

1. K.S.ANITHAKUMARI, W/O LATE
P.K.ASHOK KUMAR, PATHIYANKAL HOUSE,
PALA, KOTTAYAM DIST.

2. AWATHY ASHOK,(MINOR),
D/O ASHOK KUMAR, DO. DO.

3. KAMALAKSHYAMMA,
PATHIYANKAL HOUSE, DO. DO.

4. MANOJ K.V., SREENILAYAM,
PALA.

5. THE NATIONAL INSURANCE COMPANY LTD.,
PALA, KOTTAYAM.
(MINOR RESPONDENT IS REPRESENTED BY HER MOTHER
AND GUARDIAN 1ST RESPONDENT)

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 17/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

- -

M.A.C.A.No.1789 OF 2007

- -

Dated this the 17th day of October, 2007

JUDGMENT

Radhakrishnan, J

This appeal is filed against the award in O.P.(MV)No.49/03 of the Motor Accident Claims Tribunal, Pala. Claimants are the legal heirs of the deceased who died in accident occurred on 3.12.93 involving a vehicle belonging to the appellant. 1st petitioner is the wife of the deceased, 2nd petitioner is minor daughter and 3rd petitioner is his mother. Tribunal awarded Rs.3,47,000/- as compensation to the petitioners. In para 11 of the order, Tribunal has discussed about the manner in the fixation of the compensation amount. Deceased was aged 34 at the time of the accident. He was a government contractor earning a monthly income of Rs.2,250/-.

Considering the entire facts and circumstances of the case, we are of the view that the amount awarded by the Tribunal is just and proper. We are not inclined to interfere with the award passed by the Tribunal. This appeal is dismissed.

K.S.RADHAKRISHNAN, JUDGE

A.K.BASHEER, JUDGE

jes